

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	
)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,)	Chapter 11
)	
Debtors.)	Jointly Administered
)	

**ORDER GRANTING DEBTORS' FORTY-FIRST OMNIBUS OBJECTION
TO CLAIMS (DUPLICATE & AMENDED AND SUPERSEDED BORROWER
CLAIMS)**

Upon the forty-first omnibus objection to claims [Docket No. 5144] (the "Objection")¹ of Residential Capital, LLC and its affiliated debtors in the above-referenced Chapter 11 Cases, as debtors and debtors in possession (collectively, the "Debtors"), seeking entry of an order, pursuant to section 502(b) of title 11 of the United States Code (the "Bankruptcy Code"), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure, and this Court's order approving procedures for the filing of omnibus objections to proofs of claim [Docket No. 3294] (the "Procedures Order"), disallowing and expunging the Duplicate Claim as a duplicate of a corresponding claim and disallowing and expunging the Amended and Superseded Claims as having been amended and superseded by subsequently-filed, corresponding claims, all as more fully described in the Objection; and it appearing that this Court has jurisdiction to consider the Objection pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Objection and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Objection having been provided, and it appearing that

¹ Capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to such terms in the Objection.

no other or further notice need be provided; upon consideration of the Objection and the Declaration of Deanna Horst, annexed to the Objection as Exhibit 1; and the Court having found and determined that the relief sought in the Objection is in the best interests of the Debtors, their estates, creditors, and all parties in interest and that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and the Court having determined that the Objection complies with the Borrower Claim Procedures set forth in the Procedures Order; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Objection is granted to the extent provided herein; and it is further

ORDERED that, pursuant to section 502(b) of the Bankruptcy Code, the claims listed on Exhibits A and B annexed hereto under the heading “Claims to be Disallowed and Expunged” are disallowed and expunged; and it is further

ORDERED that Kurtzman Carson Consultants LLC, the Debtors’ claims and noticing agent, is directed to disallow and expunge the Duplicate Claim and the Amended and Superseded Claims identified on Exhibits A and B, respectively, so that such claims are no longer maintained on the Debtors’ claims register; and it is further

ORDERED that the claims listed on Exhibits A and B annexed hereto under the heading “Surviving Claims” (collectively, the “Surviving Claims”) will remain on the claims register, and such claims are neither allowed nor disallowed at this time; and it is further

ORDERED that the disallowance and expungement of the Duplicate Claim and Amended and Superseded Claims does not constitute any admission or finding with respect to any of the Surviving Claims; and it is further

ORDERED that the Debtors are authorized and empowered to take all actions as may be necessary and appropriate to implement the terms of this Order; and it is further

ORDERED that notice of the Objection as provided therein shall be deemed good and sufficient notice of such objection, and the requirements of Bankruptcy Rule 3007(a), the Case Management Procedures entered on May 23, 2012 [Docket No. 141], the Procedures Order, and the Local Bankruptcy Rules of this Court are satisfied by such notice; and it is further

ORDERED that this Order has no res judicata, estoppel, or other effect on the validity, allowance, or disallowance of any Surviving Claims, and the Debtors' and all parties in interests' rights to object on any basis are expressly reserved with respect to any Surviving Claim listed on Exhibits A and B annexed hereto or any other claim not listed on such exhibits; and it is further

ORDERED that this Order shall be a final order with respect to the Duplicate Claim identified on Exhibit A, annexed hereto, and the Amended and Superseded Claims identified on Exhibit B, annexed hereto, as if each such claim had been individually objected to; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: November 20, 2013
New York, New York

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge

Exhibit A

In re RESIDENTIAL CAPITAL, LLC, et al. (CASE NO. 12-12020 (MG)) (JOINTLY ADMINISTERED)

FORTY-FIRST OMNIBUS OBJECTION - DUPLICATE CLAIMS (BORROWER CLAIMS)

Claims to be Disallowed and Expunged							Surviving Claims						
	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number		Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number
1	Brackney, Charles	3830	11/09/2012	\$0.00 Administrative Priority	Residential	12-12020		Brackney, Charles	4032	11/09/2012	\$0.00 Administrative Priority	Residential	12-12020
	THE BANK OF NEW YORK MELLON TRUST			\$0.00 Administrative Secured	Capital, LLC			The Bank of New York Mellon Trust Co			\$0.00 Administrative Secured	Capital, LLC	
	CO NATL ASSOC, FKA THE BANK OF NEW			\$142,000.00 Secured				Natl Assoc,			\$142,000.00 Secured		
	YORK TRUST CO NA, AS SUCCESSOR TO			\$0.00 Priority				FKA the Bank of New York Trust Co na,			\$0.00 Priority		
	JP MORGAN CHASE ET AL			\$0.00 General Unsecured				as Successor to JP Morgan Chase et al			\$0.00 General Unsecured		
	7732 Northwest 12th Street							7732 Northwest 12th Street					

Exhibit B

In re RESIDENTIAL CAPITAL, LLC, et al. (CASE NO. 12-12020 (MG)) (JOINTLY ADMINISTERED)

FORTY-FIRST OMNIBUS OBJECTION - AMENDED AND SUPERSEDED CLAIMS (BORROWER CLAIMS)

Claims to be Disallowed and Expunged							Surviving Claims					
	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number
1	DANIEL AND ANGELA BLANKS 6077 BRECKENRIDGE DR SUMMER BUILDERS MILTON, FL 32570	4044	11/09/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$110,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020	DANIEL AND ANGELA BLANKS 6077 BRECKENRIDGE DR SUMMER BUILDERS MILTON, FL 32570	6889	07/30/2013	\$0.00 Administrative Priority \$0.00 Administrative Secured \$10,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020
2	LESTER DONNA F LESTER VS THE BANK OF NEW YORK GMAC MORTGAGE LLC FKA HOMECOMINGS FINANCIAL LLC COMMUNITY HOME et al Mountain State Justice Inc 1031 Quarrier St Ste 200	4914	11/15/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$142,600.00 General Unsecured	GMAC Mortgage, LLC	12-12032	LESTER DONNA F LESTER VS THE BANK OF NEW YORK GMAC MORTGAGE LLC FKA HOMECOMINGS FINANCIAL LLC COMMUNITY HOME et al Mountain State Justice Inc 1031 Quarrier St Ste 200	5063	11/15/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$142,600.00 General Unsecured	Homecomings Financial, LLC	12-12042